

REMARKS

The Examiner rejected claim 10 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner stated that in claim 10 the limitation "**the housing** further includes an oversized end projection that fits over the vent opening thereby securing the plug in position until a pressure build-up within housing cause the plug to be released" is not found in the specification. In response, Applicant has amended claim 10 by deleting the word "housing" and replacing it with the word - - plug - -. Applicant respectfully submits that there is support for this amendment in the specification on page 6, lines 17-20.

The Examiner rejected claim 10 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner stated that the term "oversize" in claim 10 renders the claim indefinite. In response, Applicant has amended the claim by deleting the word "oversize" and by amending the claim to include the limitations that the vent opening in the housing has a diameter and the plug includes an end projection that is of a diameter greater than the diameter of the vent opening and fits over the vent opening. Support for this amendment is found in the specification on page 6, lines 17-20 and in Figs. 4 and 5. These figures show that the plug 34 has an end projection that is of a greater diameter than the diameter of the vent opening. This greater diameter projection aids in retaining the plug in the vent opening until the pressure within the housing reaches a certain threshold. When that threshold is reached, the pressure forces the plug out of the vent opening. Applicant respectfully

submits that these amendments address and overcome the Examiner's section 112, second paragraph rejection of claim 10.

The Examiner rejected claims 1-3 and 5-7 under 35 U.S.C. 103(a) as being unpatentable over Thatcher et al (US 4,765,354) in view of Bannan (US 4,982,471) in further view of Yates (US 6,550,489) and Egan (2002/0166866). In the action, the Examiner set out how Thatcher and Bannan disclose various limitations of claim 1 and he stated that neither of these two references teach a paint roller cleaner that includes a pressure relief means. The Examiner then cited Yates as being directed to a washing device that includes a pressure release means. Egan was cited for teaching a vent opening closed by a plug. The Examiner stated that it would have been obvious to one of ordinary skill in the art to include a pressure relief valve as taught by Yates on a paint roller cleaner, and then to modify the pressure relief valve of Yates in accordance with the teachings of Egan.

Applicant submits that Yates discloses a vent 32 which "allows escape of heated water vapor and steam" (column 5, line 8). This vent is not illustrated in any specific detail and the only other description provided in the patent is that the vent acts in a manner similar to the function of a pressure relief valve (column 5, lines 9-10). Typically, pressure relief valves are in a closed position when the pressure in a vessel is low, they open when the pressure reaches a certain threshold and then they automatically close again once the pressure drops below that threshold value. Essentially, the vent opens and closes periodically to keep the pressure in the vessel substantially steady. Consequently, Yates could be considered to teach a valve that permits gas to escape from the interior of the vessel more or less continuously.

Egan's valve functions in a similar manner. The valve is a cup-shaped rubber member that has fluted channels 24 molded into its side walls. These fluted channels extend from proximate the bottom of the valve to proximate the flange at the top of the valve. The valve is seated in a vent opening such that the fluted channels abut the wall of the vessel that defines the vent opening and the flange rests on the top surface of that wall. The flutes aid in channeling gas from the interior of the vessel up to the region under the flange. The flange is soft and flexible and as gas builds up thereunder, the flange deflects upwardly out of contact with the top surface of the wall and the gas escapes. The flange then settles back over the top surface of the wall and gas begins to build up thereunder once again, i.e., the valve resets itself automatically. Consequently, Egan effectively permits gas to escape from the interior of the vessel on a more or less continuous basis.

Applicant respectfully submits that the valves of Yates and Egan would therefore likely be utilized in applications where pressure is an unnecessary and likely undesirable by-product of a process and is something that needs to be minimized or kept within a certain range. Both Yates and Egan disclose that their valves are used in vessels that operate in low-pressure ranges. Egan's valve, for example, is used in barrels that are used for making wine. The fermentation process releases gases that need to be mitigated in order to prevent carbonization of the wine in the barrel. Egan's valve allows built-up gases to readily escape from the barrel on a more or less continuous basis so that the wine in the barrel is not spoiled by the gases. Yates's valve is used in a parts-washer where water is pumped into the vessel under low pressure and is sprayed over parts mounted on a movable turntable. It would be undesirable to

have a gas pressure build up in this system as it would tend to counteract the spraying of the parts. Thus, gases are evacuated substantially continuously from the vessel so that the device functions properly.

Applicant's device is different. Water is sprayed under pressure into the housing so that it contacts the fibers of the roller contained therein and thereby forcefully drives the paint out of those fibers. It would be completely undesirable in Applicant's device to have the pressure relief means periodically and regularly permitting fluid to flow out of the valve for at least two reasons. Firstly, the drop in pressure within the housing would reduce the effectiveness of the cleaning process. Secondly, having fluid squirt out of the valve periodically and regularly would create an undesirable mess for the painter to clean up. Applicant has therefore recognized that the valve should only relieve pressure within the housing when that pressure build-up is excessive - say, for instance, if the pressure was sufficient to detach the hose that is connected to the spigot 18. When pressure in the housing reaches this point, the plug is forced out of the vent opening and fluid squirts out of the vent opening. Unlike the valves taught by Yates and Egan, the valve does not automatically reset. Instead, the painter has to physically insert the plug back into the vent opening and push the plug inwardly until the flange is flush with the outer surface of the housing and the vent opening is once again tightly sealed by the plug. These few steps that are required to manually reset the valve give the painter an opportunity to change the pressure of the cleaning fluid entering the spigot by slightly closing the faucet connected to the hose.

In response to this rejection, the Applicant has therefore amended claim 1 to include the limitation that the pressure relief means provided on the housing includes a

vent opening that is tightly sealed by a plug and that the plug is pushed out of the vent opening by excessive pressure build-up within the housing. Applicant respectfully submits that Egan does not teach a valve where the plug (the cup-shaped member 10) tightly seals the vent opening into which it is inserted. As previously mentioned, Egan clearly teaches that there are gaps between the side wall 11 of the plug 10 and the wall 30 that defines the vent opening. These gaps occur between the flutes 24 and the wall that defines the vent opening. Fig. 4 of Egan clearly shows gas traveling up one such gap between the side wall of the plug and the wall 30 that defines the vent opening. The description of Egan confirms that the gas readily lifts the flange 16 and thereby escapes from the interior of the vessel. Furthermore, on page 2, in paragraph [0022] it is stated that the valve also includes a lip 18 *"that acts as a stop to limit the insertion depth of the valve into a hole. This prevents the flange from sealing to the surface of a container when the valve is inserted into a hole. Side flutes 24 allow a low pressure gas to move from the bottom of the valve to the area below the flange 16."* (Emphasis added by Applicant).

Claim 1 includes the limitation that the vent opening is tightly sealed by the plug. Applicant therefore respectfully submits that Egan teaches away from the claimed invention in that he discloses a valve that is prevented from sealing to the surface of a container and which includes fluted channels in the plug that allow gas to readily escape therethrough. Applicant therefore respectfully submits that because Egan teaches away from the invention, claim 1 is not obvious in view of the combination of cited references. Applicant therefore respectfully submits that claim 1 is allowable over the cited combination of references and further submits that if claim 1 is allowable, then

claims 2-3 and 5-7 are also allowable as being dependent upon an allowable base claim.

The Examiner rejected claims 1 and 4 under 35 U.S.C. 103(a) as being unpatentable over Nell (US 4, 778,534) in view of Bannan (US 4,982,471) in further view of Rossborough et al (US 4,711,258), Yates (US 6,550,489) and Egan(2002/0166866). Applicant respectfully submits that, for the same reasons argued above, the combination of these references cited against claims 1 and 4 does not teach a paint roller cleaner with a plug that tightly seals a vent opening. Applicant again respectfully submits that Egan teaches away from claim 1 in that his valve is not able to tightly seal the hole into which it is inserted and is, in fact, designed to permit continuous leakage of gas therethrough. Applicant therefore respectfully submits that claim 1 is not obvious in view of the cited references and that the claim is therefore allowable. Consequently, if claim 1 is allowable, then claim 4 is also allowable as being dependent from an allowable base claim.

Thus, since claims 2-7 and 10 all depend from claim 1, Applicant submits that all of the previously presented claims are now in condition for allowance.

Applicant has also presented new claims 11-12 which depend from claim 1 and should therefore be allowable as being dependent from an allowable base claim. Claim 11 includes the limitation that the cleaner further includes a tether that secures the plug to the housing. Support for this claim can be found in Figs. 2, 3 and 4 where the tether is clearly shown but was not previously identified by a reference character. Applicant has therefore requested herein that the description be amended to identify the tether by the reference character 38 in order to bring the description and drawings

into compliance. Applicant has also requested that Figs. 2, 3 and 4 be amended to include the reference character 38 for the tether. Marked up drawings and replacement sheets showing Figs. 2, 3 and 4 are also enclosed herewith. Applicant respectfully submits that Egan does not disclose a tether for securing his plug to the vessel defining the vent opening therein.

Applicant has also presented new independent claim 13 and claims 14-21 that are dependent therefrom. Claim 13 defines a hollow cylindrical housing with an inlet at a first end and an outlet at the second end, where the outlet is sized to receive a paint roller therein. The claim includes the limitations that a planar flange extends outwardly away from the second end of the housing and generally perpendicular to the longitudinal axis thereof; and a locking member extends generally longitudinally outwardly away from a second surface of the flange and beyond the second end of the housing, and a portion of the locking member is disposed at an angle to the longitudinal axis and is separated from the second surface by a gap adapted to receive part of a handle of the paint roller therein.

Claim 14 and 15 depend from claim 13 and include the limitations that the outermost edge of the flange includes an indent adapted to engage an exterior circumferential surface of the paint roller; and that the indent is arcuate in shape.

The position and nature of the flange at the second end of the housing enable the painter to use the indent to scrape off paint from the exterior surface of the roller, prior to insertion of the same into the housing. Furthermore, as the roller is inserted into the housing, additional paint is scraped off the exterior surface thereof because the fit between the bore and the roller is very tight. The flange provides a surface for this

scraped off paint to roll downwardly and to be thereby directed back into a paint can, for example. As the roller is slid into the housing, the painter can easily manipulate the handle of the same into the gap between the locking member 28 and the flange 22. The flange acts as a good support for keeping the handle in an upright position and the locking member locks the handle in this orientation. The painter does not need to remove any component parts of the cleaner in order to lock the handle into position, as is the case in the patent to Rossborough et al. The area of the flange between the outlet and the indent becomes covered in paint because the indent has been used to scrape paint off the roller and because paint has drained out of the housing and down the flange as the roller is inserted into the bore. However, because this flange is located at the outlet end of the housing, cleaning solution that exits the housing will flow over the flange and automatically clean any accumulated paint therefrom. Because the handle is retained in an upright position by the locking member, flushed paint does not flow out of the housing and downwardly along the handle of the roller, as would be the case with the cleaner disclosed by Thatcher et al. In Thatcher's device the handle is wedged in a slot in the side wall of the housing. Consequently, as paint is flushed out of the housing it will automatically and readily flow out through the slot and coat the handle of the roller. Thus the flange makes it easy to remove and recover a quantity of paint from the roller prior to introducing cleaning solution into the housing. Furthermore, there is little risk that the handle of the roller will become paint covered during the cleaning of the roller. The flange's position and its planar nature enable it to be easily cleaned by cleaning solution exiting the housing.

The Applicant respectfully submits that none of the cited art discloses the elements of claims 13, 14, and 15 arranged as they are in these claims. Applicant therefore respectfully submits that these claims distinguish over the cited references.


Applicant has also added new claims 16-20 which depend from claim 13 and include limitations directed to the vent opening and plug arrangement that has been previously argued in this response as being allowable over the cited art.

Applicant has presented new claims 21-24 which depend from claim 13 and include limitations directed to the nature of the locking member that retains part of the handle of the paint roller. These limitations include that the locking member is arcuate in shape, is comprised of two spaced apart walls and that portions of these two spaced apart walls extend inwardly from a first surface of the flange and over a portion of the side wall of the housing. The double-walled construction of the locking member aids in strengthening the locking member against potential damage by the handle. The handle could rotate in response to the pressurized cleaning solution contacting the roller in the housing. If the locking member was not strong enough, the handle could shear it from the second end of the housing. The portions of the two walls of the locking member that extend from the first surface of the flange and over a part of the side wall of the housing are provided as buttresses that strengthen the locking member. Applicant respectfully submits that none of the cited art discloses the limitations of these claims.

Should the Examiner wish to discuss any of the issues raised in this response, he is invited to contact the undersigned at (330) 244-1174.

Respectfully submitted at Canton, Ohio this 1st day of SEPTEMBER, 2009.

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Enclosures Marked up drawings (3 sheets)
 Replacement drawings (3 sheets)

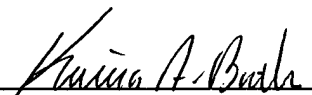
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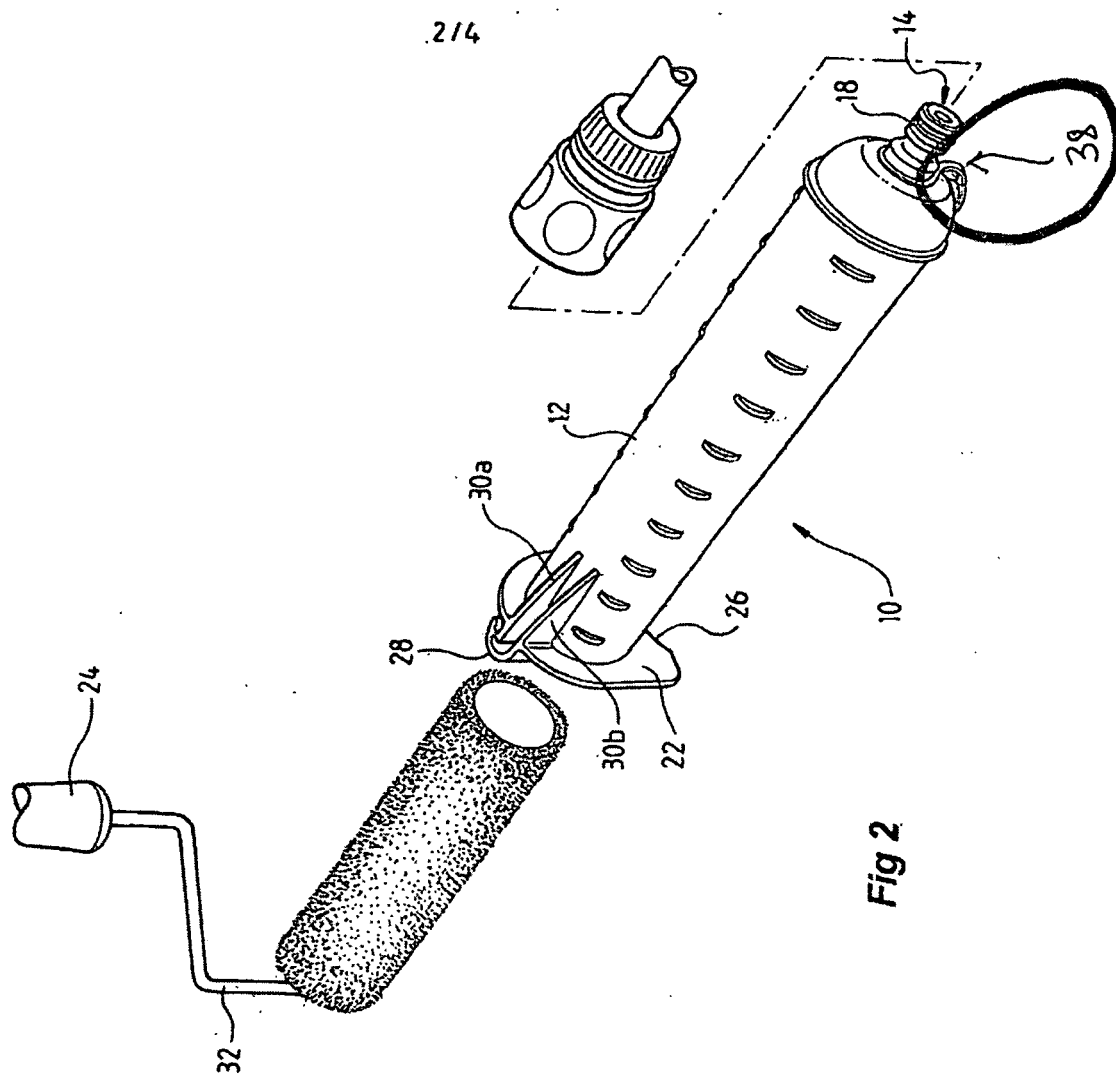
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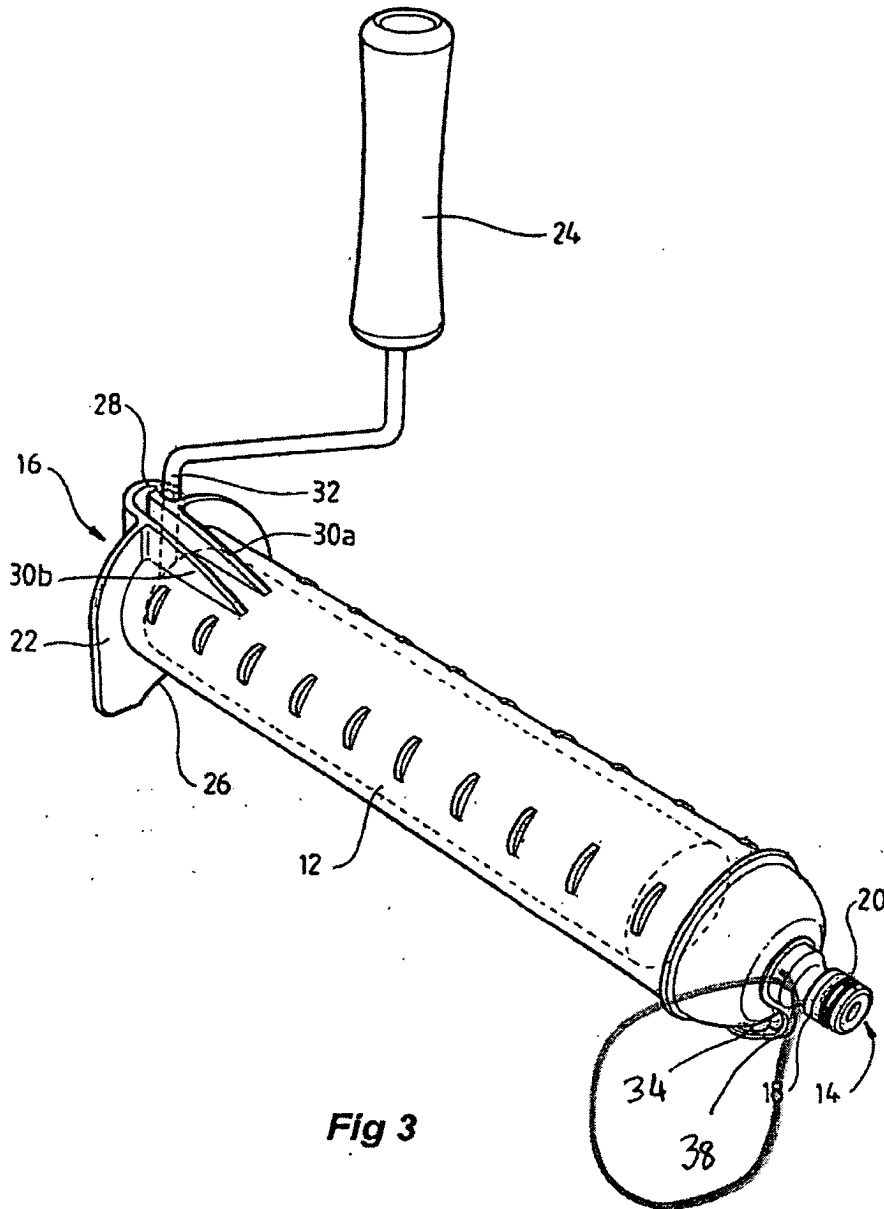


Fig 3

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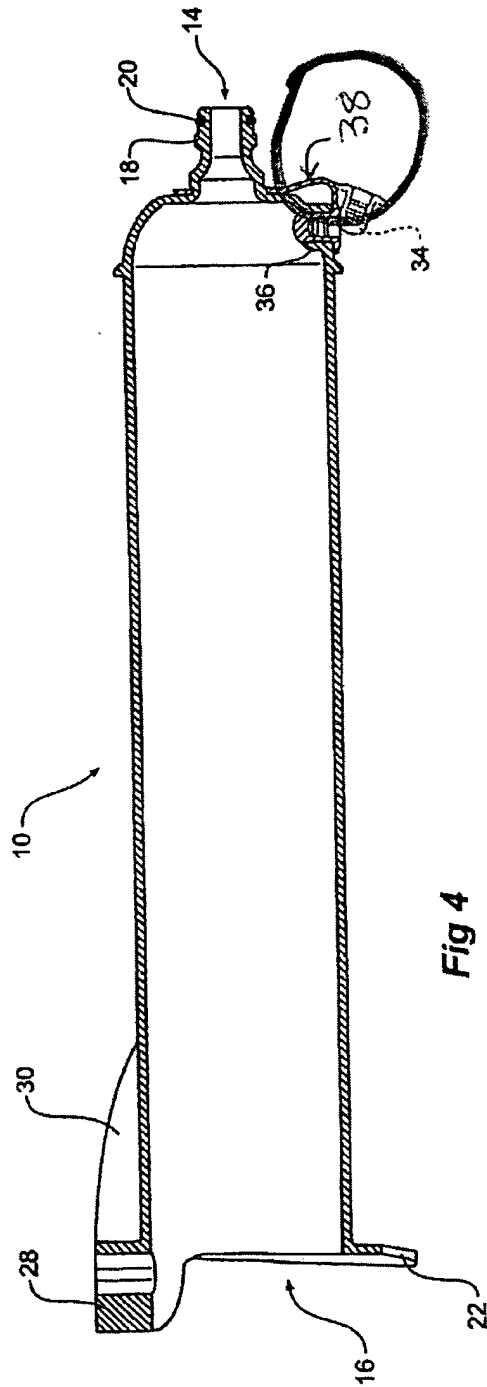


Fig 4

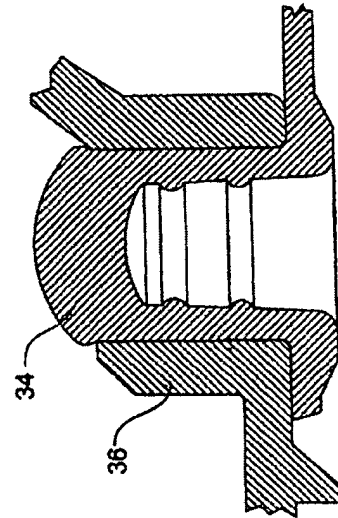


Fig 5

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